



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SWIRE PACIFIC OFFSHORE (DUBAI) LLC,

Plaintiff,

- against -

DOLPHIN OFFSHORE ENTERPRISES
(INDIA) LIMITED,

Defendant.
-----X

07 Civ. 9449 (LAK)

USDC SDNY
DOCUMENT
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TURN OVER ORDER IN RESPECT OF ATTACHED PROPERTY

Whereas the Plaintiff, Swire Pacific Offshore (Dubai) LLC ("Swire"), and the Defendant, Dolphin Offshore Enterprises (India) Limited ("Dolphin") have agreed to settle their dispute in the instant matter;

Whereas the parties have entered into a settlement agreement that provides Defendant Dolphin shall pay to Plaintiff Swire the sum of \$750,000.00; and

Whereas pursuant to Supplemental Admiralty Rule B of the Federal Rules of Civil Procedure, on or about November 9, 2007 Swire obtained from the Court an Ex-Parte Order of Maritime Attachment together with Process of Maritime Attachment and Garnishment that authorized the attachment of Dolphin's property with the Southern District of New York in an amount up to \$1,089,227.14; and

h Whereas ~~as~~ ABN-AMRO Bank, acting pursuant to the Ex-Parte Order of Maritime Attachment and Garnishment, restrained and attached Dolphin's property in the approximate amount of \$1,089,227.14; and

Whereas the parties have agreed that Dolphin should fund the settlement to Swire from a portion of the \$1,089,227.14 that is currently under attachment at ABN-AMRO Bank;

Whereas the parties have agreed that \$750,000.00 of Dolphin's attached funds and any interest accrued should be wired via electronic funds transfer by ABN-AMRO Bank to the following bank account:

NAME OF ACCOUNT: **LENNON, MURPHY & LENNON, LLC**
ACCOUNT #: **74 3996811**
ABA #: **021000021**
BANK NAME: **JP MORGAN CHASE**
 292 PEQUOT AVE.
 SOUTHPORT, CT

and;

Whereas, the parties have agreed that promptly after Swire has received confirmation from J.P. Morgan Chase that the \$750,000.00 settlement payment has been received into its designated account, Swire's New York counsel, Lennon, Murphy & Lennon, LLC, shall then instruct garnishee ABN-AMRO, in writing to release the remainder of the attached funds, approximately \$339,227.14, less any bank fees, if any, to Dolphin;

Whereas, the parties have agreed that after the settlement in favor of Swire has been fully funded by Dolphin, Swire's New York counsel, Lennon, Murphy & Lennon, LLC, shall file a notice of dismissal in the instant action;

IT IS HEREBY ORDERED that garnishee ABN-AMRO Bank shall effect an electronic funds transfer in favor of Swire in the amount of \$750,000.00, which amount shall be deducted from the Dolphin's property that garnishee ABN-AMRO Bank currently holds under attachment, and that garnishee ABN-AMRO Bank shall pay this amount to the following account:

NAME OF ACCOUNT: **LENNON, MURPHY & LENNON, LLC**
ACCOUNT #: **74 3996811**
ABA #: **021000021**
BANK NAME: **JP MORGAN CHASE**

**292 PEQUOT AVE.
SOUTHPORT, CT**

and that any bank fees associated with the transferring of settlement funds to the Swire's specified account shall not be deducted from the transferred funds; and

IT IS FURTHER HEREBY ORDERED that promptly after Swire has received confirmation from ABN-AMRO that that the \$750,000.00 settlement payment, plus any applicable interest, has been received into the Swire's designated account, Swire's New York counsel, Lennon, Murphy & Lennon, LLC, shall then instruct garnishee, ABN-AMRO Bank, in writing to release the remainder of the attached funds, approximately \$339,227.14, less any bank fees, if any, to Defendant Dolphin; and

IT IS FURTHER HEREBY ORDERED that the \$750,000.00 (and any applicable interest) settlement payment from Dolphin shall not be subject to any attachment in New York after those funds are released by garnishee ABN-AMRO; and

IT IS FURTHER HEREBY ORDERED that the subsequent electronic funds transfer to Dolphin of the remainder of its attached funds not used to fund the settlement, in the approximate amount of \$339,227.14, less any bank fees if any, shall not be subject to any attachment in New York after those funds are released by ABN-AMRO Bank en route to Defendant Dolphin;

IF IS FURTHER ORDERED that once Swire has received its settlement funds its New York counsel, Lennon, Murphy & Lennon, LLC, shall file a notice of dismissal in the instant action.

Dated: February 27, 2008
New York, NY

SO ORDERED:



U.S.D.J. 